

§ 851.21

- (2) Have access to:
 - (i) DOE safety and health publications;
 - (ii) The worker safety and health program for the covered workplace;
 - (iii) The standards, controls, and procedures applicable to the covered workplace;
 - (iv) The safety and health poster that informs the worker of relevant rights and responsibilities;
 - (v) Limited information on any recordkeeping log (OSHA Form 300). Access is subject to Freedom of Information Act requirements and restrictions; and
 - (vi) The DOE Form 5484.3 (the DOE equivalent to OSHA Form 301) that contains the employee's name as the injured or ill worker;
- (3) Be notified when monitoring results indicate the worker was overexposed to hazardous materials;
- (4) Observe monitoring or measuring of hazardous agents and have the results of their own exposure monitoring;
- (5) Have a representative authorized by employees accompany the Director or his authorized personnel during the physical inspection of the workplace for the purpose of aiding the inspection. When no authorized employee representative is available, the Director or his authorized representative must consult, as appropriate, with employees on matters of worker safety and health;
- (6) Request and receive results of inspections and accident investigations;
- (7) Express concerns related to worker safety and health;
- (8) Decline to perform an assigned task because of a reasonable belief that, under the circumstances, the task poses an imminent risk of death or serious physical harm to the worker coupled with a reasonable belief that there is insufficient time to seek effective redress through normal hazard reporting and abatement procedures; and
- (9) Stop work when the worker discovers employee exposures to imminently dangerous conditions or other serious hazards; provided that any stop work authority must be exercised in a justifiable and responsible manner in accordance with procedures established in the approved worker safety and health program.

10 CFR Ch. III (1–1–09 Edition)

§ 851.21 Hazard identification and assessment.

(a) Contractors must establish procedures to identify existing and potential workplace hazards and assess the risk of associated workers injury and illness. Procedures must include methods to:

- (1) Assess worker exposure to chemical, physical, biological, or safety workplace hazards through appropriate workplace monitoring;
- (2) Document assessment for chemical, physical, biological, and safety workplace hazards using recognized exposure assessment and testing methodologies and using of accredited and certified laboratories;
- (3) Record observations, testing and monitoring results;
- (4) Analyze designs of new facilities and modifications to existing facilities and equipment for potential workplace hazards;
- (5) Evaluate operations, procedures, and facilities to identify workplace hazards;
- (6) Perform routine job activity-level hazard analyses;
- (7) Review site safety and health experience information; and
- (8) Consider interaction between workplace hazards and other hazards such as radiological hazards.

(b) Contractors must submit to the Head of DOE Field Element a list of closure facility hazards and the established controls within 90 days after identifying such hazards. The Head of DOE Field Element, with concurrence by the Cognizant Secretarial Officer, has 90 days to accept the closure facility hazard controls or direct additional actions to either:

- (1) Achieve technical compliance; or
- (2) Provide additional controls to protect the workers.

(c) Contractors must perform the activities identified in paragraph (a) of this section, initially to obtain baseline information and as often thereafter as necessary to ensure compliance with the requirements in this Subpart.

§ 851.22 Hazard prevention and abatement.

(a) Contractors must establish and implement a hazard prevention and